App F IX-4

1924.

File No. 13-24

(mc)

Previous References

mc 81-10 as 10, 11, 13, 17
" 144-174 as 1-2-18
" 216-16 as 1-2-
" 216-16 as 3-4

Later references

mc 65-26 as 223
mc 1-26 as 66, 67, 73 78, 80, 81 82
mc 2a-9-27 slo 1, 2 + 3.
mc-118 27 slo 16, 17, 18

Serial Nos. 17, 18, 25 31, 37, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48

Preserve

GENERAL AND REVENUE SECRETARIAT.

Serial Nos

Part B for march 26

SUBJECT

petition from mr J.B Doeyan Complaining against the unauthorised encroachment of Sannyasa Kalli and the removal tombs by the City municipal Council

48 30. mr J R Doeyan.
No d 6225 of 29-3 26
Informs him that orders have been issued directing the municipal Council to settle the question and that he may approach the President in the matter

JJ 7-4 26

General and Revenue Secretariat | File No 13 of 19 24

Serial No	
17	From Mr C R Joseph M.A F.R.E.S Bangalore. Complaint against the unauthorised fencing encroachment, bijoux City Mohalla Mysore. Mr his family property known as "Sri Nivas Nilaya" and the "Memorial fountain" near the Banumaiah School at Mysore. City
	1) Orders as to the fencing Copy L & R Call for a report from the P.I. Sub-Div. A.R.D 1.12.24
	2) L.S.G. Comptt. Sub-Div B.N.
	3) Draft please Sub-Div T K S
	4) Draft forwarding the petition is put up for approval 5/12
	5) Done 5/12
18	No L 4187 A 9 11-12 Forwarding the petition for a report
23	No. 5257 dated 13.12.24 The President City Mohalla Committee Mysore. Reply to our 18 cited. Please find the orders sanctioned of appeal to have been passed by the Govt which were put up

NOTE—Contn Sheet

and not at the instance of the Municipality and in connection with which a further report be honoured as submitted in the Secretariat file appeared regarding to be sent to him for reference.

b) The orders communicated to here honoured and as directed by the Resolution of the Municipality and in the circumstances the withdrawal of the appeal as stated by the petitioner.

(Vide Ex. 11)

c) It is for orders whether the Secretariat file may be sent to the HC as desired by him.

d) Refer para 1 supra

P.O.B. 17/2

e) In a brief history of the case please see paras 5 & 6 of the notes in HC file at 216 of 1946 (Ex. B)

f) It is not known if the Secretariat file as requested may be sent as required

1 Weeks) 18/2

g) It may send a few pages of the Secretariat file as desired

Done 19/2

h) The Subdivisional Court may be informed accordingly

20/2

DEWAN'S OFFICE
RECD ON 20 FEB 1925
Regd 697

NOTE—Contn Sheet

Serial No

13/ 1 On an application from Sowcar Banumal one of the Trustees of the Kunchitigara A V Free School, Mysore, requesting for the grant of a site to construct a more spacious buildi thereon, and also soliciting the grant of the vacant land known as "Srinivasakatte" free of cost to serve as a play ground, the Mysore City Improvement Trust Board resolved in 1910, that (i) the properties specified in the above application be acquired for the purpose, and (ii) as regards "Srinivasakatte" being given free, the property in question being Municipal property the matter be referred to the Municipal Council, Mysore, for disposal

2 The extent of the properties required for the above purpose was as follows -

(a) Numbers 61, 62, 63, 66 (part), 67 A, 67 B, and 68, of block No. 55, Krishnaraja Mohalla, Mysore All these eight properties belonged to private individuals and covered a ground area of 470 sq yds lying strictly outside the area of the Board's operations, and

(b) 'Srinivasakatte' measuring 1073 sq yds and lying to the north of the properties referred to above

3 The Chairman of the Trust Board in his letter No 51, dated the 19th December 1910, -- recommended acquisition of the properties and accordingly submitted for publication in the --

NOTE—Contn Sheet

zette, a declaration statement respecting the said properties

Serial No.

4 - In this office letter No. 5771, dated the 7th January 1911, the Chairman of the Trust Board was requested to report the decision of the Mysore City Municipal Council as regards the land known as "Srinivasakatte" recommended by him for acquisition

5. The resolution of the Municipal Council, dated the 25th February 1911 was forwarded by the Chairman in his letter No 72, dated the 6th March 1911 The circumstances in which, and the conditions on which, the said "Srinivasakatte" was resolved by the Municipal Council to be given free to the School, are explained by the Chairman to be as follows -

"In view of all the facts and circumstances appearing in the file of correspondence relating to this subject, the members of the Managing Committee are unanimously of the opinion and recommend that the site in question may be devoted to the charitable purpose of serving as a play - ground for the pupils of the Kunchitigar School proposed to be built on the land adjoining the site subject to the express condition of the organizers of the School constructing a public - fountain and cattle trough at the south-west corner of the site bearing in prominent characters the following inscription - "

The access to the said fountain and trough should be direct from the main road, to the --

NOTE—Contn Sheet

Serial No.

north of the said fountain should be a gate-way the site should be enclosed by a compound wall - not exceeding 3½ feet in height as may be approv ed of by the Municipal Council The site shoul not be built upon and no high growing trees - -- should be planted therein. The organizers and future managers of the said school should agree to allow the holding of the Viramudi Mantapa Pud every year on the site by the Navagriha Agrahar people"

A mutchalika to the above effect should be taken from the organizers of the said school and filedin the office"

6 In G O No 8204-6/M1 81-10-17, dated th 3rd April 1911, the acquisition of the eight pro perties was approved The free grant of the - "Srinivasakatte" site to the school for the pur- pose of a play ground was also granted, subject to the several conditions proposed by the Manag- ing Committee of the Mysore City Municipality -- and referred to above and also subject to the -- further condition that a mutchalika should be -- taken from the authorities of the school before possession of the land was actually made over t them

7 In his letter No 178, dated the 20th -- April 1917 the President of the City Municipal Council, Mysore, reported that the land know "Srinivasakatte" had not yet been made over to the school authorities, that the following fa relating to the said land were brought to the notice of the Municipal Council and that the

NOTE—Contn Sheet

had resolved that Government may be requested to reconsider their order dated the 3rd April 1911 in the light of the facts of the case then exposed -

"Mr G Srinivasa Joisor, grand-son of the original Srinivasa Joisor presented an application on the 26th February last claiming the land as his own and requesting that it might be restored to him, and in going through the records in connection therewith the following facts were ascertained -

(i) That the land on which Srinivasakatte stood was originally gifted by the late Maharaja, His Highness Sri Krishnaraja Wodayar III

(ii) That after the gift, Srinivasa Joisor constructed on the land a pond and dedicated it to the use of the Public

(iii) That this charity existed for about fifty or sixty years, and that in or about the year 1889, the pond was closed on Sanitary and other grounds by Government

(iv) That at that time it was agreed between the Government on the one hand, and the present petitioner Mr G Srinivasa Joisor on the other, that the land on which the pond had stood should be laid out as an ornamental plot or garden with a public fountain in the middle bearing an inscription that it was the Charity of Srinivasa Joisor

Serial No 0

NOTE-Contn Sheet

Serial No

(v) That a fountain with the inscription was constructed on the land, the present Mr G Srinivasa Joisor contributing Rs 100 towards part expenses of the same

(vi) That the fountain existed and was used by the public till 1908 when it was plugged with others by the Water Supply Department when there was difficulty for water supply, and

(vii) That the land has not been formally acquired by the Government or the Municipality so as to be at their absolute disposal

From this it will be seen that the land passed to the possession of the Municipality for the express purpose of its being utilized in a particular manner continuing the original object of the charity in a modified form Hence it is still considered to be property dedicated to a public charitable purpose, the Government or the Municipality being in possession thereof only as a Trustee, and either authority cannot divert the land to any purpose other than the original object of charity or a similiar purpose Mr Srinivasa Joisor also is not entitled to the land under the circumstances detailed above

* * * * *

As regards Mr Banumiah's Kunchitigar A V School, several houses close to the same have since been acquired and dismantled and the land

NOTE—Contn Sheet

added on to the compound thereof and some more -- houses are under acquisition and their lands also will be added on to its compound "

Serial No.

8 The propriety or the advisibility or expediency of reconsidering the said Government Order has been discussed in this office notes at -- paras 5 to 12 of the file Municipal 216-16-2 dated May 1917 D

9 Final orders were passed to the effect that the "Government Order in question cannot be modified unless the conditions mentioned therein have been violated, nor can Government pass any -- orders regarding the site itself in the absence of definite recommendations from the Municipal Council" (vide Mr Banerji's Minute at paras 10-12 of the file) ✓ M.

10 With reference to the Government Order, dated the 26th May 1917 communicated to the President, City Municipal Council, Mysore, the President submitted copies of Report dated the 9th September 1917, of the Municipal Bye-laws and Regulations Committee and Council's Resolution No XVIII dated the 20th October 1917 for the orders of the Government S R

11 The following are the facts mentioned in the Report of the above Committee R

"(1) In the earlier part of Government Order No 7539/Fl 216-16-2, dated the 26th May 1917 under consideration, it is -- stated that the previous G O No 8204-6/Ll 81-10-18 of 3rd April 1911 cannot be modified unless the conditions men-

NOTE—Contn Sheet

Serial No

tioned therein are violated, while in the latter part of the present order, it is stated that Government cannot pass any orders regarding the site itself in the absence of any definite recommendations from the Municipal Council It is difficult to reconcile the two parts of the Order.

(ii) If Government declines to reconsider the former order, no question can at the present moment arise regarding the site itself

(iii) And the Municipal Council cannot make any recommendation other than those already communicated to the Government viz , that the site in question is trust property and the Government have constituted themselves trustees in respect of the site and the objects attached to the transfer of the site by the donor to the Government

(iv) The Government have already agreed to carry out the conditions which are that the land on which the pond had stood should be laid as an ornamental garden with a public fountain in the middle bearing an inscription that it was the charity of Srinivasa Josyer

Dg

Serial No.

(v) The Government in their turn have - only entrusted the management of - the trust to the Municipality "

12 The question of reconsidering the orders already passed by the Government has been discussed at pages 1-6 of the File Ml 216-16-4 — B.

13 As per orders at para 14 of the notes in the file the Municipal President's letter - dated the 14th November 1917 was recorded with the observation that "the orders passed already are final and that no grounds exist for the question being reopened without additional -- facts or recommendations — B. 3

14 The G.O. No 3435/Ml.216-16-4, dated the 28th December 1917 was recorded by the Mysore City Municipal Council with the observation that (1) the property in question (Srinivasakatte) is not Municipal property, and (11) the Municipal Council declines to assure (the) any - responsibility in the matter of the disposal - of the property — K. P. S —

15 The above resolution of the Municipal Council was recorded by Government in their -- Order No 5121/Ml 144-17-2, dated the 16th --- March 1918 — 2 4

16 Petition dated the 1st December 1924, was received from Mr G R Joseyar, complaining against the unauthorised encroachment by - the Mysore City Municipal Council over his family property - "Srinivasakatte " — Forwarded [illegible]

Serial No

17. Under the Dewan's orders the President, City Municipal Council, Mysore, was requested to submit a report in the matter

18 In his D O. letter No. 312, dated the 13th February 1925 the President has stated that the orders complained of appear to have been passed by the Government of its own initiative and not at the instance of the Municipal Council, Mysore The order was not passed on the initiative of the Government, but only on the recommendation of the Improvement Committee on an application preferred by Mr Banumaiya The President, Municipal Council, Mysore City, has requested that the two Secretariat files referred to by him may be sent to him for reference in case Government desire a further report in the matter

Meabher (14) full note on this subject is put up with reference to Dewan's order at para 12 ante

Dewan (15) I need like to know whether the [illegible] Banumaiah's request cannot be complied with but the Councillors imposed in this para of they have not complied with, they may be asked to state why the Council should not be removed. If the Councillors are removed will then the Appointed Administrators

DE 21 MAR 1925 7033

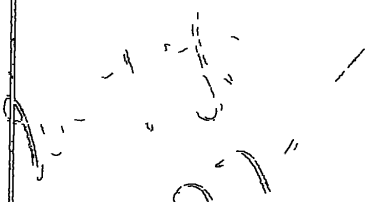
Note-Contn. Sheet

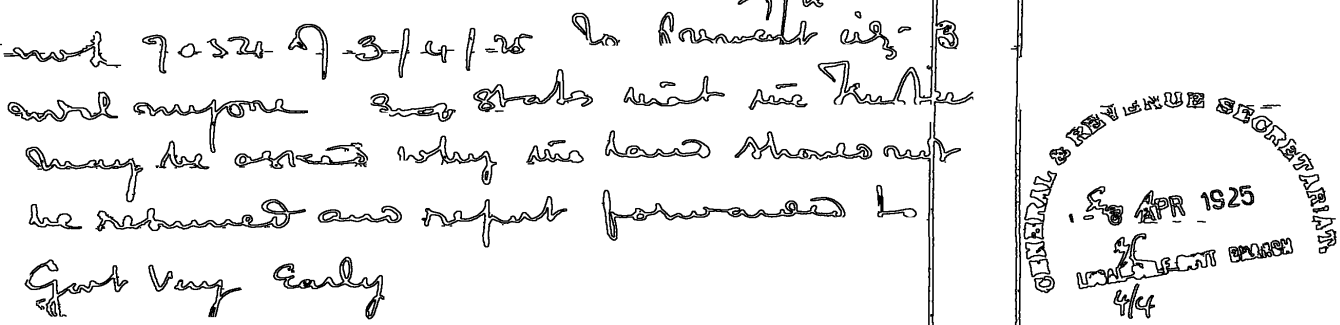
APP F III—21

File No of 19

General and Revenue Secretariat

Serial No.





GENERAL & REVENUE SECRETARIAT
3 APR 1925
4/4

REPLY

(To be written on this margin.)

187 Sh C 460

Office of the Dewan of Mysore.

NOTE

Dated 23rd April 192 5

The file relating to "Srinivasa Katte" in Mysore may be kindly put up for reference

Local and Legislative Secy., with compliments.

The file will be submitted

DEWAN'S OFFICE
Received on 27 APR 1925
No. I 0 8827.

14)

6217 -
715

25) Draft two reminders as put up for approval as per Director's orders at para 23 supra

26) Case under submission please

30/4/25

Sd/-
17/5/25

Director of Horticulture
N Muthumadan Executive

No. M-2108 dt 6.5.25

The pt. cited and the above with reference to at 31. states that the orders of Govt were communicated to Dharmapuram D. Ramaniah who has undertaken to rebuild the fountain, broken top etc, at our own with the Land, where a suitable place, with appropriate has been selected and the design, which is being prepare & will be sent to the Trustees for necessary actio

27) For orders, with respect to paras 15 and 23 with notes.

28) As the proposals may perhaps be intimated of what is proposed to be done and the Chairman Municipal requested to intimate final action taken early

30/4/25
6/5/25

29) [illegible]

Read [illegible]

General and Revenue Secretariat

File No. 19 of 19 24

Serial No

I have carefully gone through the whole file & found that the municipal Council has no right to the land known as 'Samarankale' & that the govt have no manner of right to deal with it in the way that they have done.

In the first place it is admitted that the land is trust property & that the trustees whoever may be are incompetent to alienate it.

The govt have undertaken to deal with the trust property & have acted of course presumed to be legal, as trustees instead of transferring the legal ownership to a third party though the third party may undertake to provide the land for legal purposes & for the benefit of the public, yet this is an after ground, yet the object of the trust is not fulfilled. The said trustees or beneficiaries may establish their claim in a court of law & recover the property.

After careful consideration of the matter, I am of opinion that in the interest of govt, it would be better to acquire all the land known as the trustees in the petitioners, this can be done either under the Land Acquisition Act or by private arrangement with the trustees under Sec 31 of the Act. The trust property can be acquired by the grant of other lands in exchange as the trustees shall consent to accept or in such other way as may be suitable.

Note—Contn Sheet

G R S III-21

General and Revenue Secretariat

File No. [illegible] of 1917

Serial No

Extract from the proceedings of the Chief Secretary to Government in General Department, dated 31st July 1925.

DEVIL'S OFFICE
17 JUL 1925
No. 513

Read the following papers:

1. Letter from the Deputy Commissioner, Mysore, No. 1/1917-18, dated 1st January 1918.
2. Letter from the Secretary, Mysore Municipal Council, No. 1/1917-18, dated 1st January 1918.
3. Letter from the Deputy Commissioner, Mysore, No. 1/1917-18, dated 1st January 1918.
4. Letter from the Secretary, Mysore Municipal Council, No. 1/1917-18, dated 1st January 1918.

On the 6th of March 1911, the Mysore Municipal Council proposed the disposal of a certain piece of land called Srinivasakatte, subject to certain conditions proposed by the Managing Committee. The conditions were that (1) the site may be devoted for the charitable purpose of serving as a play-ground for the pupils of the Kunchatigar School, proposed to be built on the adjoining land, if the school constructs a public fountain and a cattle trough bearing a certain inscription and if access is provided to the fountain directly from the main road, (2) the site should not be built upon and no high-growing trees should be planted therein and the site should be enclosed by a compound wall, (3) a mutchalika has to be taken from the organizers of the school.

The matter apparently was allowed to lie over as no action was taken till 1917, when the grandson of the original grantee of the katte presented a petition claiming the land as his own and requesting restoration. On going through the merits

Note—Contn. sheet.

Serial No

~~merits of the petition, the then~~ President of the Municipal Council reported to Government that the Government held, or the Municipality could be construed to have held, the land as trustees only and cannot divert the land to any purpose other than the original The Municipal Council resolved that the land cannot be restored to Mosyer but that the facts of the case be reported to Government for re-considering their order of 1911 sanctioning the grant of this land as a play-ground to the school Government declined to take any action then, in the absence of definite recommendations as to how the land was to be disposed of In the next year the Municipal Council resolved that the property in question was not municipal property and the Council declined to assume any responsibility in the matter of the disposal of the property There the matter rested for the time being It may be stated that in 1910, the Mysore City Improvement Trust Board resolved that the property, being Municipal property, be referred to the Municipal Council for disposal But the question now is what took place subsequent to the order of 1911 sanctioning the free grant of Srinivasakatte on certain conditions

36/ It is clear from the President's letter of 23rd April 1917 that the Srinivasakatte had not till then been made over to the School authorities,

—Contn sheet

G 70 000—1/7 P2 15

19/

Serial No

authorities, but the Municipal Council themselves were doubtful if that order could be carried out without an express consent on the part of the grantee or their successors in respect of the new arrangement Following the precedent of the agreement entered into, the fountain and inscription were constructed on the land some time in 1890 and continued till 1908 That arrangement may be construed as amounting to a transfer of the land to the Municipality for certain charitable purposes, but the Municipal Council have disowned any responsibility and have thrown the whole burden on Government

2) On the petition of Mr.Josyer, received in December last, the Municipal President reported that the Government passed the order on their own initiative and not at the instance of the Municipal Council How in the meantime the site has been included in the School compound is not known. There is no information in the papers as to whether the conditions have been fulfilled, viz., that the site should be enclosed by a wall, it should have free access from the road, and that there should be a fountain with an inscription From a letter of the President dated the 5th May, it appears that nothing definite has been done in the matter, and under these circumstances it is necessary now to pass the following orders -

-Contn sheet

600—14-12-15

R. S.-12]

General and Revenue Secretariat

File No. 13 of 1924

Serial No 37

(1) To hold the free grant of the land on certain conditions, in abeyance, (2) To ask the Chairman of the Trust Board to report if the land can be excluded from the general lay out of the locality and preserved according to the original intention of the grant, as a garden with a fountain, and handed over to the Municipality for management, and (3) if the matter has gone too far and the fountain itself has disappeared and there is no trace of the original institution on the site, whether the site itself cannot be acquired by the Trust Board and handed over to the School authorities who should pay for it, and whether with the amount thus received, another site of an equal extent cannot be provided by the Trust Board in the neighbourhood for the purpose of continuing the charity The Chairman may be requested to submit a report on all these points at a very early date, with a sketch

12-15

7340 L

21

and Revenue
Secretariat

Mul File No 13 of 1922

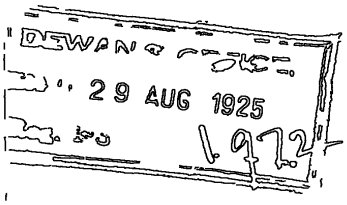
Serial No

37 no L 539 D 24/7/25. To President Mul mysore Requests to report if the land can be excluded from the general lay out of the locality and preserved according to the original intention give grant, as a garden with a fountain and handed over to the municipality for management, as there is information as to whether the site itself cannot be acquired by the Trust Board and handed over to the School authorities who should pay for it etc by which another site cannot be procured in the neighbourhood for continuing the charity

GENERAL SECRETARIAT
Received 1925
LEGAL DEPT.

General and Revenue Secretariat | File No W.W. 19 of 192 | [App F III—2

Serial No 3



No.337 dated 7th August 1925

The President, City Municipal Council, Mysore.

Furnishes the information called for in Sl.37 together with a sketch showing the layout of the locality.

(2) The President considers that the major portion of the site is included in the compound of the school and enclosed by wall and it is neither fair nor expedient to cancel the existing arrangement at this distance of time and states that it is not feasible to revive the old charity and reserve the whole of the original site for the purpose

(3) He suggests two alternatives for adoption -

(i) to construct a new fountain with a cattle trough (as per sketch forwarded) at the expense of th school authorities who are willing to pay for it,

or

(ii) to pay compensation for the land to the representatives of the original donor at Rs.2/- per square yard i e. Rs.2096/- in all, the cost being met as suggested by him.

(4) The latter proposal cannot be accepted unless the donor's representative concerned agrees to fulfil the obligation imposed by the Trust. Besides it is costly

(5) Under the circumstances, reported the former proposal which does not involve any additional cost either to the Municipality or to the Government, may perhaps be considered

Refer para 3 supra

Note—Contn Sheet

Serial No

10 SEP 25

GENERAL & REVENUE SECRETARIAT'S OFFICE
23 SEP 1925
RECEIVED

[App F III– 2

General and Revenue Secretariat

File No 13 of 1924

Serial No

10 dated 17 9 25

41 Mr G R Jobyar, Mysore

With reference to the enquiry at (40) states that he is willing to accept the second alternative, monetary compensation, provided the site value is estimated at Rs 10/- per sq. yd., the cost of super at Rs 1000/- to get the extra percentage and the award is given effect from the time of the transfer - to the School

Subd vide reference to para 49 supra

Asst HMK 29/9 29/9/25

51 In regard to Srinivasa Kalle Site, of the 2 alternatives offered, Mr Jobyer prefers accepting money, at an increased rate of Compensation and for a larger dimension - by according to a plan of the site said to have been prepared by Mr Standish Lee. That plan is not forthcoming here. The Chairman of the Municipal Council said that papers connected with the Kalle were not forthcoming in his office & wanted this office file of papers for reference. A copy of this plan to determine the area of the original site may be available with him. It is not known whether the T&C office or Srini

NOTE—Contn Sheet

WD 0669—GPB—40,000—'1 7-2.

App F III—2]

File No

of 192

General and Revenue Secretariat

Serial No

2

NOTE—Canyn Sheet

Serial No

to have a copy. This may perhaps be enough.

(2) The object of the petitioner seems to be to get more money without any change and the object of trust. Whether this should be permitted is for consideration. All that would be required seems to be a trust deed and parties in a place open to the public with a public prosecutor in regard to which the first application seems desirable.

The petitioner seems to have some objection to this being done by the school authorities appointed by the Board of Trustees with money got from the school authorities. Source of money if this petitioner may not be expedient; his demand seems unreasonable and this would involve the task of proving that the money is withheld by the petitioner improperly & will lead to further difficulties in case this is not done.

(3) The grant of money compensation at the rate required & for the Divisional with appeal from the decision of the Collector to the school is for orders.

& Lawyer

Demand Income-tax Collector

Collector

Lawyer

8-6
26/10

CWD 159 HC
SLO

EVIDENCE'S OFFICE
7 OCT 1925

NOTE—Contn Sheet

App. F III—2],

WD 0569—GPB—40,000—31 7

File No 1 of 1192

General and Revenue Secretariat

Serial No.

NOTE—County Sheet

General and Revenue Secretariat

File No 24432

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Seri No 56

App. F. III—2]

* WD 0569—GPB—40 000—3/47-2

Fldr. No

Vol. 192

General and Revenue Secretariat

Serial No

NOTE.—Contd. Sheet

19942

Reg. No. 236 of 1925
No 1146
See one file

MYSORE CITY MUNICIPALITY.

26

Reference Unofficial reference No.427 dated 26.10.1925 from the Secretary to Government, Local & Legislative Departments

Subject Disposal of "Srinivasakatte"

The above file is herewith returned

57) 1 I agree with the view expressed in the Secretariat notes (para 52) that it would be to the advantage of Government to accept the first alternative, viz , construction of a fountain with a small garden in the place indicated, the rest of the site being left with the school authorities subject to the conditions laid down in the Government Order of 1911 and reproduced in Mr Banumiah's Mutchalika A copy of the Mutchalika obtained from this Office file, which has been since found is herewith -- enclosed for the information of Government

2 As regards the extent of the site, I had calculated from the city maps of 1904-1905 that it must have measured 1048 square yards before a portion of it was utilised for city improvements But, in the Chairman's letter No 51 dated 19th December 1910 to Government I find the extent given as 1073 square yards This may be accepted as correct, as the land was then more or less intact, had a visible boundary and must have been actually measured, along with neighbouring properties which were simultaneously notified for acquisition Prior to this, a small bit appears to have been taken by Mr Standish Lee for the Ramavilas Road, but there is no means of ascertaining what extent was thus utilised---it could be nothing very appreciable

3 As regards the rate proposed for compensation, the following facts must be taken into consideration

1. The ground value for properties acquired in this locality was uniformly estimated at Rs.1/8/0 per square yard until 1917-18 and at Rs.2/8/0 per square yard subsequently(Vide comparative statement given below of awards examined)

4) Comparative statement

Sl No	Name of work for which properties were acquired	Period	Number of properties acquired	Rate for land per square yard			Remarks
				Rs	As	Ps	
1.	Creating site for the new Municipal Office building	1917-18	27	1	8	0	But the properties were acquired by mutual agreement and paid higher amounts than passed in awards
2.	Properties acquired behind Banumiah's School	1921-22	14	2	8	0	
3	New Motikhana building	1919-20	21	2	8	0	

2 In the cases instanced by Mr Josyer, the properties included structures as well as land and payment for the land at a higher rate than Rs.2/8/0 was limited to a few - cases of a special nature

The land acquisition case relating to Kamalammana Mutt is pending decision in the District Judge's Court, and the value fixed is not now ascertainable

In the case of houses behind the -- Kamalammana Mutt i e further south, The District Judge awarded Rs 2/8/0 per square yard as ground value and not Rs 5/0/0 as stated

No acquisitions were made in recent years in Jagan Mohan Palace Road Certain houses and shops were acquired by the Deputy Commissioner in 1900 for widening the road for the occasion of the marriage of His Highness the Maharaja in the Jagan Mohan Palace The District Judge referring to these acquisitions observed in O S No 30 of 1919-20 that "the acquisitions there were done all in a great hurry on account of the marriage of His Highness the Maharaja I am not inclined to place any value upon the evidence that they afford "

P T O

28

The rate of Rs 7/8/0 per square yard near Jumma Musjid referred to was only the average rate per square yard of ground acquired area including structure which was primarily in the interests of the mosque

3 As for the site known as Srinivasa-katte, Mr.Standish Lee wrote on 17 11.1891 "The tank when taken over was a pestilential receptacle of sewage and that filling it up has cost Government several thousand rupees"

4 So late as in the year 1917, Mr Josyer stated in his petition dated 26th February 1917 "As I found on consulation with engineers that buildings should not be erected on the ground for some years, until the filled up earth settled down, I was obliged to leave it open"

5 The land owes whatever value it may possess to the improvements made by Government at the cost of "several thousand rupees" and even now it is not safe for building houses The petitioner surely cannot expect such land to be paid for at four times the ordinary rate allowed as ground value for house properties in the locality The rate proposed by me --Rs 2 per square yard--is distinctly liberal

6 I suggested money compensation only as a means of eliminating once for all embarassing claims, conflict of commitments and -- fettering conditions which had complicated the matter This solution would have also removed the grievance of the donor's family that their wishes had not been consulted nor their assent obtained to the disposal of the land in spite of explicit undertakings given at the beginning But if the petitioners put forth exorbitant demands, the adoption of this alternative becomes impossible and there seems to be nothing left for it but to enforce the Government Order of 3rd April 1911

7 In the course of the notes, doubts have been expressed as to the exact date when the land was handed over to the school authorities The papers now found show that Mr Banumiah applied for a license to enclose the site with a compound wall on - 8th July 1920 and again on 21st September 1920, and that a license was issued for the purpose on 29th July 1921 Before --

P T O

Before granting the license, a statement was taken from Mr. Banumiah that he would abide by the condition of the Mutchalika of February 1911.

10th November 1925

PRESIDENT

58. The above opinion (unofficial) of the president Kalyan city Municipality is called for orders with reference to Dewan's minute at page 55 of the Mfes.

13/11/25 13/11/25

Dewan

59 by all means grant the license but before issuing the same obtain from the Joint Magistrate a reasonable security that he will not keep the arms for any illegal purpose

GVN

DEW
RECD 18 NOV 25
Reg. No

Serial No

(6) From the correspondence the following facts are established --

That the land on which Srinivasakatte stood was originally gifted by the late Maharaja His Highness Sri Krishnaraja Wodayar Bahadur III,

That after the gift Srinivasa Joshier constructed on the land a pond and dedicated it to the use of the public,

That this charity existed for upwards of 60 years; and

That in or about the year 1889 the pond was closed on sanitary or other grounds by Government.

At the time of closing the pond it was agreed between the Government on the one hand and Mr. G.Srinivasa Joshier on the other, that the land on which the pond had stood should be laid out as an ornamental plot of garden with a public fountain in the middle bearing the inscription that it was the charity of SrinivasaJoshier

That a fountain with the inscription was constructed on the land, G.Srinivasa Joshier contributing Rs.100 towards part expenses of the same.

That the fountain existed and was used by the public till 1908 when it was plugged along with others by the Water Supply Department when there was difficulty for water supply

(9) The land had not been formerly acquired at any time by the Government or the Municipality so as to be at their absolute disposal

The legal position seems to be now is, that the Government became the trustee, as it were, of the land which was dedicated to the public, that neither the

App. F III—2]

WD 0569—GPB—40,000—3.1

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General and Revenue Secretariat

Serial No.

Note—Contn. sheet

Serial No

Government nor the original donor is the legal owner of the land When the Government is considered as a trustee it had no right to create any interest in the land I have perused the mutchalika executed by Mr Banamiah From the tenor of that mutchalika it is clear that the land has not been given to him unconditionally. The possession of the land was handed over on some conditions without creating an absolute right in him, in other words, he has also become a constructive trustee of the land, (in other words) no absolute right to the property is vested in him by the permission granted by the Municipality to construct a compound wall and use it as a play ground for boys

It is a fundamental principle of law that a transferee will not acquire greater rights than the transferer has Even if the permission be construed as a transfer of interest in the land the transferee acquired no title to the land

(b) Any member of the public may now file a suit for declaration that the property in question has to be declared a trust property and a scheme to be framed to manage the property with a view to use it in accordance with the terms of the trust

(c) Having regard to all that has taken place in this case the proper course seems to me that the extent of the land which formed the Srivasakatte may be dedicated to the public, having a fountain in the middle bearing the inscription that it was the charity of Srivasa Joshier. Mr Banamiah who has undertaken to construct a fountain has failed to do so since 1921 when the license was granted to him There is a condition in the Mutchalika that if he failed to perform any of

Note—Conta Sheet

App. F III—2]

WD 0569—GPB—40,000

File No. of 192

General and Revenue Secretariat

Serial No

Note—Contn. Sheet

Serial No

the conditions mentioned therein the land may be resumed ~~from him possession.~~ Since he has failed to construct a fountain till now he cannot have any legal claim ~~xx~~ if the land is ~~xxxxxx~~ to be resumed by the Municipality who granted it . If the Government consider that this is not desirable, the only alternative course is to acquire that property in accordance with ~~xxxxxxxxx~~ Land Acquisition Regulation and invest the amount in the purchase of other lands to be held under the like title and conditions of trust If such purchase cannot be effected forthwith the amount should be invested in Government or other ~~xxxxxxxx~~ approved securities until the same be applied in the purchase of such other lands Even Mr G Srinivasa Joshier has no right to the amount of the award as it is a property held on trust for the benefit of the public If Mr Srinivasa Joshier is willing to accept a reasonable compensation say at Rs 2 to Rs 2-8 he may be asked to purchase a land for a like amount and construct a fountain and dedicate it to the public in accordance with the conditions of the trust Until the land is purchased the amount - - - awarded should be deposited in Government approved securities and ~~xxxxxxxx~~ Mr Joshier cannot be allowed to have the use of it This is provided in Section 32 of the Land Acquisition Regulation In case the land is to be acquired, the amount has to be paid by Mr Banamiah It is not equitable or legal for the Government to pay for the acquisition unless it desires to acquire the land for a private person and give it to him free of cost If the land is resumed no possible legal objection can be raised by Mr Banamiah for he has become a trustee de son tort for intermeddling with

App. F. III—2]

WD 0569—GPE—40,000—8[illegible]—25

File No. of 192

General and Revenue Secretariat

Serial No.

Note—Contn. Sheet

Serial No.

trust property. No court would recognise his claim As it is, the Government have not entered into any agreement with him but it is the municipality that ha given him permission to use the land for play ground As he has failed to conform to the conditions, to wit, constructing a fountain, gate and cattle trough &c, for these 4 years, he has violated the conditions of the license and as such the Municipality has a right to ~~acquire it~~ resume by law and dedicate it to the public by constructing a fountain thereon If the municipality do not wish to ~~wx~~ so acquire it or if Mr Banamalah wishes to retain possession of the land he has to pay compensation therefor in accordance with law

Dewan

63/ The hon Branch [illegible] the [illegible] and [illegible]

64/ Draft plan

65/ Draft to the chairman is put [illegible]

Dewan.

AN'S OFFICE.
12 DEC 1925
No. 4330

Contd.

Serial No.

[App. F III—2

General and Revenue Secretariat | File No | of 192

Serial No

42 ಅಂಚೆ ಕಚೇರಿ ಪಕ್ಕದಲ್ಲಿರುವ ಸರ್ವೆ ನಂ 157/2 (25' ಅಗಲ) ರಸ್ತೆಯನ್ನು ಅಭಿವೃದ್ಧಿಪಡಿಸಲು ಅಗತ್ಯವಾಗಿರುವುದರಿಂದ ಸದರಿ ರಸ್ತೆಯಲ್ಲಿರುವ ಅನಧಿಕೃತ ಕಟ್ಟಡಗಳನ್ನು ತೆರವುಗೊಳಿಸಲು ಕೋರಿಕೆ

REPLY

(To be written on this margin)

Office of the Dewan of Mysore.

NOTE

Dated 15th December *1925*

Letter dated 14th instant, together with its enclosure, from Mr J.R Josyer, to the Dewan of Mysore

---

GENERAL & REVENUE SECRETARIAT
4080
17 DEC 1925

69/ Forwarded with compliments to the Secretary to Government, Local and Legislative Departments, for putting up the connected file with a calculation as to whether the proposal can be accepted and the matter closed.

Local and Legislative Secretary to Government with compliments.

70/ Shall put up early

71/ A note on the points discussed by the Dewan is put up

17/ The petitioners request that a compensation may be paid to them as representatives of the donor in final settlement of their claims to be utilised for any benevolent purpose that they may think proper, and they have also suggested that a lumpsum grant of Rs 5,000/- perhaps -- including the statutory allowance of 15% and the cost of the superstructure estimated at -- Rs 1,200/- may be given to them

18/ In regard to the value of the land to be paid as compensation to the petitioners the President has stated as follows :-

"The land owes whatever value it may posses to the improvements made by Government at the cost of "Several thousand rupees" and even now it is not safe for building houses The petitioner surely cannot expect such land to be -- paid for, at 4 times the ordinary rate allowed as ground value for house properties in the -- locality The rate proposed by me - Rs 2/- per square yard - is distinctly liberal"

19/ To facilitate the final disposal of the -- matter, the President states that he has suggested money compensation only as a means of eliminating once for all embarassing claims, conflict of commitments and fettering conditions which had complicated the matter, and that this solution would have also removed the grievance of the donor's family, that their wishes had not been consulted nor their assent obtained to the disposal of the land inspite of explicit undertakings given at the beginning

App. F (III—2)

WD 0669—GPE—40 000—31-25

File No of 1192

General and Revenue Secretariat

Serial No.

NOTE—Cont'n Sheet

Serial No

Calculation of the value of the land on the basis of (a) the recommendation of the Municipal President

(b) the request of the petitioners

(a) The total area of the land in question is 1,073 sq yds as reported by the President The President has suggested a rate of Rs 2/- per sq yd

Cost of 1,073 sq yds at Rs 2/- per sq yd = Rs 2,146/-

(i) 15% statutory allowances for Rs 2,146 = Rs 322/-

(ii) Cost of the superstrucure Rs 1,200/-

Total value of land Rs 3,668/-

(b) The petitioners have suggested a lumpsum grant of Rs 5,000/- the details of which are indicated below -

Total grant	Rs 5,000/-
Leauct cost of super-structure	-Rs 1,200/-
Total value of land including 15% statutory allowances	Rs 3,800/-

That is the value of the land according to the President's recommendation comes up to -- Rs 2-5-6 per sq yd including statutory allowar and Rs 3-8-0 per sq yd according to the petitioners' calculation including statutory allo

Whether the proposal made by the petitio can be accepted and the matter closed

(a) Financial aspect: The President re commends that a sum of about Rs 3,700 may be granted as compensation and this amount is in his opinion according to a very liberal calcu tion On the other hand the petitioner's req

App F. III—2]

WD 0569—GPB—40,000—31-7-42

File No

of 192

General and Revenue Secretariat

Serial No		

Note—Contn. Sheet

Serial No

that a lumpsum grant of Rs 5,000/- may be given as compensation That is, there is a difference of about Rs 1,300/- between the two suggestions

(B) Legal aspect of granting the compensation

Under the circumstance of the case, it is seen that Government have become the trustee as it were of the land, which was dedicated to the public, that neither the Government nor the original donor is the legal owner of the land The petitioners, even if compensation should be granted, have no right to the amount of the award as it is a property held on trust for the benefi of the public Any member of the public may now file a suit for a declaration that the property in question has to be declared a trust property and a scheme to be framed to manage the property with a view to use it in accordance with the terms of the trust The extent of the land which formed the Sreenivasakatte may have therefore to be dedicated to the public, having a fountain in the middle bearing the inscription that it was the charity of Sreenivasa Joshier If this is not possible as Mr Joshier is willing to accept a compensation, all that can be done is that he may be asked to purchase a land for the compensation amount and construct a fountain and dedicate it to the public in accordance with the conditions of the trust Until the land is purchased the amount awarded should be deposited in Government approved securities and the petitioners cannot be allowed the use of it for any other benevolent purpose (as suggested by them) unless

WD 0569—GPB—40,000—31 7`..

App. F. III—2]

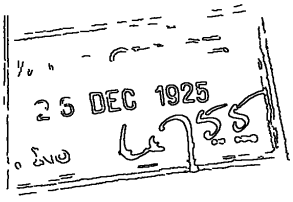
File No. of 192

General and Revenue Secretariat

Serial No.

Note—Contn. Sheet

Serial No



and until the conditions of the trust become impossible to be fulfilled ~~In the present case they do not seem to be impossible of fulfilment~~

Submitted for orders with reference to the Dewan's orders at para 69 supra

BB 22/12/25 & 2 Recs) 28 24/12/25

79/ The petition has been taken as directed in para 63. It may therefore be expedient to await the reply of Dewan.

Dewan 28/1 26 Jan

80/ Until the Govt of India is pressed to produce Ghaznavy Nizamat to enable us to ascertain what the relation between Ghaznavy Nizamat & the Nizam

6 8/1/26

84 25/1

30/ A draft letter to the Govt of India is put up as per para 80 supra

BB 2/1/26 28

Lt Col) 6221 Revised Copy 4/1

Sheet

App F III—21

File No

WD 0569—GPB—40,000—31

, of, 192

General and Revenue Secretariat

Serial No

NOTE—Contn Sheet

4080 L.S. 1.9
4223

[App F III—2

Secretariat | File No | of 192

Sanction No

83/ Typed copies as directed by the Leg Asst for appt

[illegible]

[illegible]

Legislative Office
JAN 1926
No. 5067

[illegible]

Dewan

85/ [illegible]

[illegible]

44 vide 5018 dt 11/1/26 do G.R. Joseyan Esq Inst Enquires whether the donors representative is agreeable to receive money compensation and to utilize the same for a similar charitable purpose elsewhere

Fees

From

45 Mr G R Joseyan, M A F R E S
dated 12/1/26

In reply to 44, states that his father and he are willing to receive the suggested compensation and use it for some appropriate benevolent purpose

86/ Subd for orders with reference to para 80 supra

P.A. [illegible] wire yesterday

16/1/26

[illegible]

App F III—2]

WD 0569—GPB—40 000—31

File No

of 192

General and Revenue Secretariat

Serial No

NOTE—Conta Sheet

4240 41)

[App F III—2

General and Revenue Secretariat | Rev File No 13 of 1924

Serial No

46

From the president, Hill Alleppie
No. 1638 dated 13.1.26
In reply to 42, states that
the substance of the letter has duly
communicated to Mr. Banumiah,
and that he merely reiterates his
willingness to abide by the conditions
of the Muthalika given by him in
1911, that he is silent about the payment
of compensation and that he is not
prepared to bear any such liability

p. 4 VI

3) From Mr. Banumiah's letter
dated 2.1.26 to the president it is seen
that he is ever ready to construct the
fountain in any place the pt points
out and that he is utilising the water
only for his school and not for his own
private purpose. From this it may be
gathered that Mr. Banumiah is not
prepared to pay any compensation

Pg F.

4) Mr. Joseph has replied
that he and his father, co the claim's
representatives, are prepared to accept
any compensation, proposed at pa
80 of the notes.

x. p. 4 IV

5) For orders with reference
paras 63 and 80 of the Notes

Chas 4 (Rees)

1/2/26

25/1/26

Note—Contra Sheet

App. F III—2]

WD 0569—GPB—40,000—31 7-

File No. of 192

General and Revenue Secretariat

Serial No

Notes—Contn. Sheet

General and Revenue Secretariat

4740

File No

[App F 111—2

of 192

Se No

6421 22/1/26

AN'S OFFICE.
ON 21 JAN 1926
No 543 ...

87) In the circumstances stated by the Presi the only course open now is to resume the land as Mr Baumiah is not willing to pay the compensation for it as requested. Submitted but I regret to trouble the Dewan

20/1.
21/1

88) Unless a question of delicacy & importance, please submit to Dewan for orders
(a) noting precisely the Extent of Survey as a Khatta that has already been included in the School road & within the School compound, & whether
(b) what is proposed to be resumed includes any & what area within the compound wall of the School, & what the area is outside the wall, that is shown to Mr B, but not actually taken possession of & the Khatta site spread both within & outside the wall, whether what is within is also to be resumed. has to be clearly stated

89) It is also a matter for Consideration, when finally disposing of this question, whether it is not desirable to get at once by Govt Construction a fountain within the enclosure & making the Municipality or the School Master forthwith cease to use outside or within the School compound

Dc
23/1/26

Dewan

23/1 23/1

Note—Contin Sheet

Serial No

90) With reference to the Second Member's query at para 88 of the notes it is stated that the total extent of the land in question is 1,073 square yards, a small bit of which appears, as the President has reported, to have been taken by Mr Standish Lee for the Ramavilas Road, but there is no means of ascertaining what extent was thus utilised-it could be nothing very appreciable. Practically, therefore, the whole extent of the land may be considered to be included within the compound of Mr D Banumiah's School.

91) The Member has also raised the point, whether the question, by way of final disposal, could be set at rest, by Government constructing a fountain with an inscription and making the Municipality or the school trustee for it according as it is outside or within the school compound.

This point is for orders.

92) Submitted for orders with reference to paras 63 and 80-88 of the notes.

93) [illegible]

NOTE—Conto Sheet

WD 01264—GPB—40 000—17-12-25

General and Revenue Secretariat

File No

of 192

Serial No

SEWAN'S OFFICE
9 MAR 1926
No

NOTE—Cont. Sheet

WD 01264—GPB—40,000—17-13 25

Gen. al and Revenue Secretariat

File No 13 of 192 4

Serial No

.EWAN'S OFFICE
26 MAR 1926
Reg. No

NOTE—Contra Sheet

Location of Street Kiosks

N

Ramadan Road

Road

Palace Hotel Khana

Sanlejak

Road

Road

Road

Road

Road

Road

1.) Letter from the Sanitary Engineer, Special Improvements' Division Mysore, to Mr, M G.Sreenivasa Josyer, Mysore, dated 8th December 1888.

" Sir,

Referring to your letter dated 23.3 87. offering a contribution of Rs 100 towards the building of a fountain on the site of the Sreenivasa Josyer's tank, I have the honour to request that you would be so good as to forward the same, so that the work might be continued to completion. I have &c Standish Lee.
Sanitary Engineer."

2.) Letter from the above to the above , dated 26.i.89, acknowledging receipt of Rs.100.

3.) Letter datdd 3.10.87, from the Superintending Engineer of Mysore, to the Sanitary Engineer, Mysore Special Improvement Division

" His no.242 of 21st ultimo, forwarding in original a letter from Mr, Sreenivasa Josyer, and requesting that he be granted a "trust" for converting the KOLA known by his name for the for the purpose for which it was specially granted

In reply informs the Sanitary Engineer that it appears unnecessary to create a special trust for the purpose specified, as the Government will take steps to warn the Municipality against ever diverting that plot of land in question, to any other purpose than that that for which it was assigned by the Donor

C H W Kingston, Maor R E
Asst Superintdg Engineer "

4) Government Gazette May 30 1918. Proceedings of the Mysore Municipal Council dated 20 4.1918.

" Government proceedings no , 5121 --M1 144-17-2, dated 16th March 1918, recording the resolution of the Municipal Council declining to assume any responsibility in the matter of the disposal of the land known as 'Sreenivasa Katte' in Mysore City, as the same is not Municipal property " Recorded "

Pehn no 88
1.12.24

Bangalore
29 4 24

Rajamantradhurina

A. R. Banerji Esq., C.S.I, C.I.E.,
Dewan of Mysore,
Bangalore

GENERAL & REVENUE SECRETARIAT
L 3610
1- 2 DEC. 1924
LOCAL SELF GOVT BRANCH

Rl 13-24-17

Dear Sir,

I am obliged to bring before you a matter affecting the fundamental principles of administration, and the elementary rights of citizenship. Early last century, my great grand-father, R.R.Ry. Srinivasa Josyer held an orthodox place near the person of the then ruler, His Highness Sri Krishnaraja Wadiyar III He also seems to have taken a leading part in the construction of the Sri Krishnaswamy Temple, facing the south front of the Palace. In consideration of that he and a few others were given plots of vacant sites, to the west of the present Banumaiya's School and Jain temple. The others built houses for themselves on the sites given them; but my ancestor built a water-tank in his name over his site and called it "Srinivasa Katte".

It stood as a memorial of his for two generations after his time, but when roads began to be laid out in the neighbourhood, slices of the tank on the west and north were covered up into roads. But the main tank continued as a memorial.

In the eighties, however, the authorities felt that the tank was out of place there, and came to an understanding with my father, R.R.Ry.G.Srinivasa Josyer, Palace Mythvic, etc., Mysore, to cover up the tank, to put up a fountain in a portion of it with a memorial slab, and to maintain a flower garden over the rest of the place. They recovered the expense of putting up the memorial fountain

from

from my father The fountain continued, but the civic authorities shirked the maintenance of the garden.

A few years ago, when the site of the Banumiah's School was given to him, and the building came to be erected, he wanted to enclose the site of "Srinivasa Katte" within his compound, and moved the Municipality for sanction. But as a result of my father's protests, the Municipality dropped the matter (Vide enclosure No.B 4). But lately however, we find that the school compound has spread over the site, the fountain has fallen into ruins, and the memorial slab has disappeared! This means the destruction of the memorial, and encroachment on the rights of our family over the property!

If this is with the sanction of the Municipality of Mysore, it is a clear case of penalty and damages, and my father should in due course get an injunction and sue them in the Court. I wrote several times during late months to the Municipal Presidents, but have been favoured with no reply. I am venturing to appeal to you as head of the Government, to direct the Municipality, to restore the memorial and our property. Your Government is so keen a protector of the rights of the State against encroachment, and to connive at this barefaced violation of the Rights of the living and the dead, would be to sully the fair name of your administration. I would entreat you to recognise that while I have shown in my personal career that I am prepared to yield a yard where they want an inch, it would be disastrous to their cause, if on their account my family's name is dishonored and its property is defrauded. His Highness, who is himself putting a memorial for his parent a few furlongs off would know my feelings in this connection. And, if deceased men of distinction are to be dishonored like this, it would seem useless to award -- Khillats and Medals to living men as an incentive to public spirit!

The above has been said on moral grounds. Legally too, I find that the above step is indefensible. In the interests of all parties concerned, I request you to be graciously -- pleased to order that the matter may be revised and settled in accordance with the Municipality's usual practice and regulation, and not as though we were a family of outlaws in whose case the ordinary rules of procedure may be ignored.

Encl 1

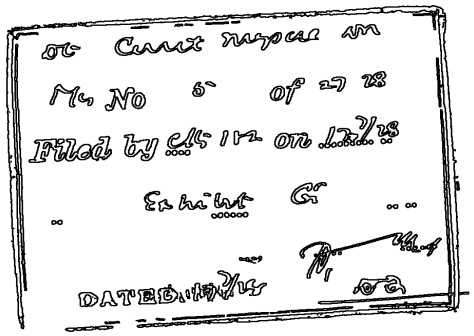
I beg to remain, With respects,

Yours sincerely,

C. R. Boyce

From

C. R. Boyce Esq
Bangalore



G R S VI—6/7]

DRAFT

SUBJECT

Section
File No
Serial No

No. L 4187 Enquiry

Diary No of letter replied to 3640

OFFICIAL MEMORANDUM

GENERAL AND REVENUE SECRETARIAT,
(139)
, *the* *191*

The accompanying Petition Registered No 3640 dated 1.12.24
191 , received
at the General and Revenue Secretariat
from [illegible]
is forwarded, together with its enclosures, with
to the [illegible]
for [illegible]

Date of issue 9th Dec 24

Signed by [illegible]

By Order,

Secretary to Government

PTO

ಅರ್ಜಿದಾರರ ತಾಲ್ಲೂಕು

ಹೋಬಳಿ

ಗ್ರಾಮ ದಲ್ಲಿರುವ

ಗೆ

ಇಂಡಾರ್ಸ್ ಮೆಮೊಂ

ನಂಬರು

ವಿಷಯದಲ್ಲಿ ನೀವು ಸುಚರಾಯಿಸಿಕೊಂಡ

ಮರುಮಿನ ಅರ್ಜಿಯನ್ನು ಬಗ್ಗೆ

ರವರ ಖರೆಗೆ ಕಳುಹಿಸಿದೆ

By Order,

Secretary to Government

List of enclosures

Copied by

Examined by

WD 1955—GPB—5,009—21 1 19

L.G.F 25 LOCAL SELF GOVT BRANCH

Ml 13-24-23

MYSORE CITY MUNICIPALITY.

D.O No 1312

PRESIDENT'S OFFICE,

Dated 13th February 1925

Dear Mr. Nagappa,

Referring to your Office Memorandum No.4187-M1 13-24-18 dated 9th December 1924 and subsequent reminders noted in the margin, I am sorry that, in spite of repeated search made in the Municipal and Trust Board Offices, the records pertaining to the inclusion of Sreenivasalatte in the compound of the Kunchigar School are not forthcoming The orders complained of appeared to have been passed by the Government of its own initiative and not at the instance of the Municipal Council However, in case Government desire a further report in the matter, I shall be able to furnish one, if you can kindly send me for reference the Secretariat file of papers on the subject ending in G O No 3435-M1-213-16-4 dated 28th December 1917 and G O No 5181/M1 144-17-2

1 D O letter No 5496 dated 29-1-25 and

2 D O letter No L 5901/m1 dated 10-2-25

Yours sincerely,

M Srinivasa Rao

B Nagarpa, Esq , Bar-at-Law,
Secretary to Government of Mysore,
Localand Legislative Departments,
Bangalore

GVN

SUBJECT

Section 46

File No 13-24

Serial No 31

Diary No of letter replied to 5527/

No 7052

Encl 2

General and Revenue Secretariat

(C 8 9)

, the 192

To The President,
Eikiq Rural Council, Pantiy
Mupe

Date of issue 3-4-1925

Signed by

Sir,

With reference to your letter of 13
9 (of 13th 9-6 1925 on the matter
undertaking of Land known as
"Srinivasa Kattu" at Mupe in
compound of the Hindu Boys
School, I am directed to state
that, if the trustees of the Boys
High School have carried out
the conditions imposed in the
grant of the said "Srinivasa
Kattu" (Vide Pro No 8204 & Mel Sl 40 1923 & 1924)
to the Council to the School, the
agreement entered into with
the Srinivasa Boys High may be

List of enclosures

Copied by

Examined by

over

regarded to have been satisfactorily
carried out and that, if necessary,
an inscription bearing his name
may be inserted. In case the
conditions have not been carried
out, I am to enquire state
what action may be taken
why the bond should not be
forfeited. - A report of action taken within three months may be
forwarded by post at a very
early date. A copy of the
managing Committee's report
dated the 9th July 1911 pro-
viding conditions imposed in
the first order of 3rd April
1911 to be also forwarded
herewith for early reference

I am to enquire whether this
Endowment has been carried
out & if not when and
can state in the form specified

W. Sep 8 Aug
Eng
1911
1911

App.F VI G1]

B650

SUBJECT

Section

File No 13.24

Serial No

Diary No of letter replied to 7157

No L 559

To The [illegible]

General and Revenue Secretariat

( )

the 192

Sir,

With reference to correspondence ending with your [illegible] letter No 2108 dt 6th May 25 in respect the land known as Srinivas Kattee, I am directed to invite reference to the G.O. No L 8204-6 Rev dt 31-10-17 dated 3.6.11, sanctioning the free grant of the Somvarpet Kattee site, as a play ground on certain conditions, to the Trustees of the St Bannerman's [illegible] School and to state that the said free grant of the land should be held in abeyance until finalising

Date of issue 24/5/25

Signed by [illegible]

Flag O.

List of enclosures

Copied by

Examined by

over

and perambulator entrance.

I am also to request you to be so good as to report if the land can be excluded from the present layout of the locality and preserved according to the original in interim as the present, as a garden with a fountain and basin over the Thames reservoir for amusement; and if the Trustees has granted for use the fountain does he disapproved and there is no trace with original lay within on the site, information may be furnished, whether the site itself can not be acquired by the Trust Board and handed over to the School authorities who should pay for it and whether both the amount thus received, another site of an equal extent can not be provided by the Trust Board in the neighbourhood for the

G R S G/33]

GENERAL AND REVENUE SECRETARIAT

(Continuation sheet draft form.)

I am to request that a report on all these petitions may be submitted as a very early date as possible

purpose of continuing the charity.

A sketch with the boundaries to be furnished along with the report, as early as practicable

I have etc

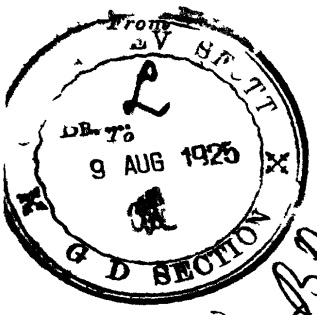
BB 21/2/21 for Secretary

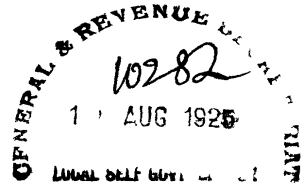
HMK 22/2/21

No 337
Ens two plans

06546 OFFICE OF THE PRESIDENT
CITY MUNICIPAL COUNCIL

Mysore, 7th August 192 5





N MADHAVA RAU, Esq, B A, B L,
President City Municipal Council
MYSORE

The Secretary to the Government of
H H. the Maharaja of Mysore,
Local & Legislative Departments,
B a n g a l o r e

Sir

Ml 13-24 —38

I have the honour to acknowledge receipt of your letter No L559/Ml 30-2-27 dated 26th July 1925 re the disposal of the site of Srinivasakatte The Government having sanctioned the free grant of the land to Mr D Banumiah's School so far back as April 1911, it would not be fair or expedient to cancel the old arrangement at this distance of tim

The major portion of the site is already included in the compound of the School and enclosed by means of a compound wall To revive the old charity and reserve the whole of the original site for the purpose is not therefore feasible.

One of two alternatives may be adopted, viz ,(1) to construct a new fountain with a cattle trough as per enclosed sketch at the expense of the School authorities who are willing to pay the same

Or (2) to pay compensation for the land to the representatives of the original donor at Rs 3 per square yard The compensation payable will come to about Rs 2,096 of which Rs 200 for 100 Sq yds taken for Santhepet Road may be charged to the Trust Board and the balance met by Government as a special case as the School authorites are unwilling and unable to bear this expense

A sketch showing the layout of the locality is enclosed for reference

I have the honour to be
Sir,
Your most obedient servant,

PRESIDENT

GVN

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE,

General and Revenue Secretariat

No. L 2206. *Bangalore, Dated* 24/9/ 1925

Ml 13-24-40

From

B BAGAPPA, ESQ., BAR-AT-LAW.,
Secretary to the Government of His Highness the Maharaja of Mysore
Local and Legislative Departments

To

G.R JOSEYAR, ESQ., M A , F R C S ,

MYSORE

Sir,

With reference to your petition dated 29th November 1924, in the matter of restoring the memorial and the property known as "SRINIVASKATIE" in the Mysore city, I am directed to state - that the President of the City Municipal Council, Mysore who was consulted in the matter, suggests the adoption of one of the following two alternatives, Viz ,

(i) to construct a new fountain with a cattle trough as per sketch, at the expense of the Banumiah's school authorities who are willing to pay for the same,

OR

(ii) to pay compensation for the land to the representatives of the original donor at Rs.2/- per square yard, the total --- compensation payable amounting to about Rs.209 /-

I am therefore directed to enquire which ~~of the two suggested courses you will adopt~~ of the two suggested courses you will adopt. An early reply is requested.

I have the honour to be,

Sir,

Your most obedient servant,

for Secretary to Government,

Local and Legislative Department

MSG.

To

G R Joseyar, Esq., M A., F.R.C S.,

Mysore ~~Bangalore~~.

Sir,

With reference to your petition dated 29th November 1924, in the matter of restoring the memorial and the property known as "Srinivaskatte" in the Mysore city, I am directed to state that the President of the City Municipal Council Mysore who was consulted in the matter, suggests the adoption of one of the following two alternatives, Viz.

(i) to construct a new fountain with a a cattle trough as per sketch, at the -- expense of the Banumiah's school authorities who are willing to pay for the same,

or

(ii) to pay compensation for the land to the representatives of the original donor at Ps 2/- per sq yard, the total compensation payable amounting to about Ps 2096/-

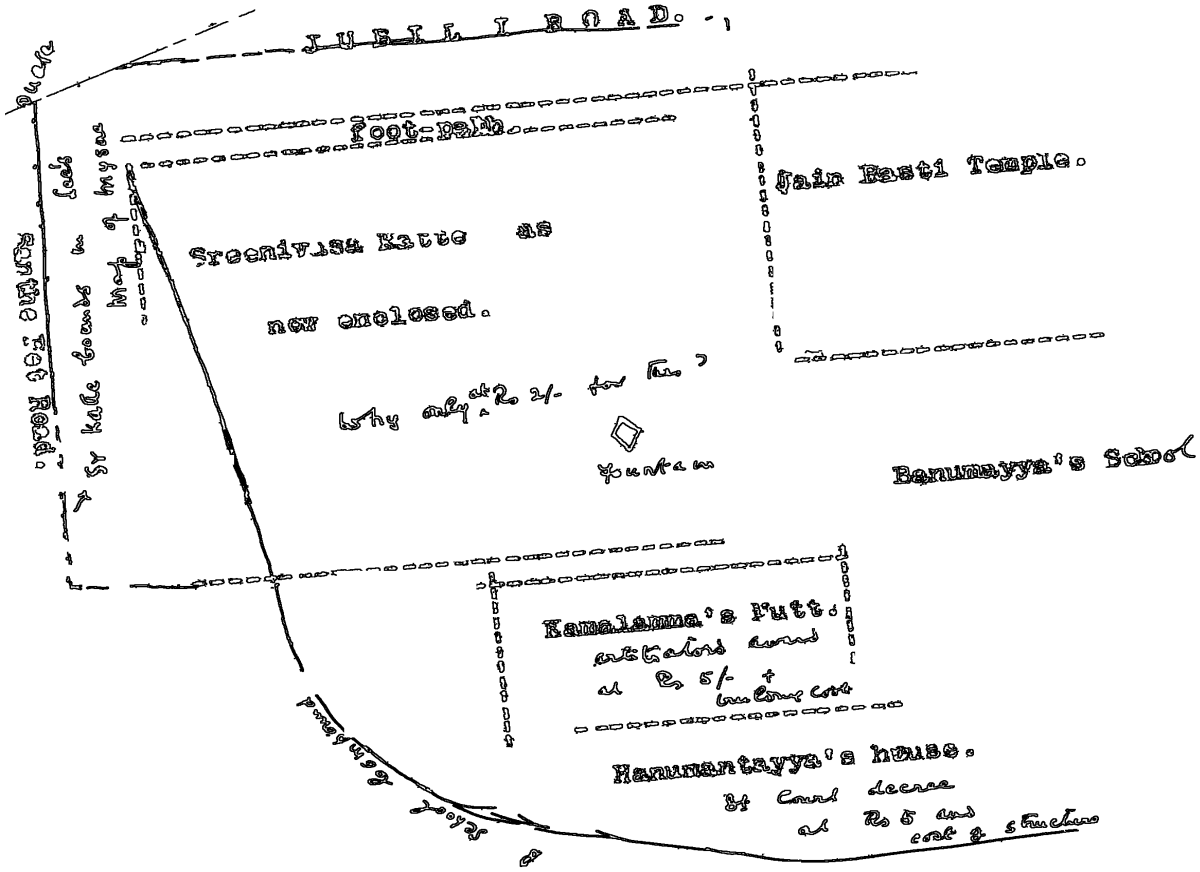
I am therefore directed to enquire which course, you are prepared to -- adopt, ~~of the two suggested above~~ An early reply is requested

I have etc,

Secretary to Govt
L & L Departmens,

NSG

8925


JUBILI ROAD.
foot-path
Jain Basti Temple.
Srinivasa Rao as
new enclosed.
Venkatam
Hanumantayya's house.

[illegible]

(Sd) [illegible]

Before me

Sd M G Krishnaswami Rao

Vice president-

U & II

[illegible]

(Sd) [illegible] 2 & 20

Before me

(Sd) Mahomed Rao

Chief officer

2-8-'20

President

Mysore

27th Sept 25

GENERAL & REVENUE
21431
29 SEP 1925
ARCHIVE

To

C. Narayya, Esq, Bar-at-law,

Local & Legislative Secretary

to Government, Cubbon Quarters

Mysore.

Dear Sir,

I am in receipt of your kind letter of the 21st inst. informing me of two alternative recommendations sent by the Municipal President of Mysore, with regard to my petition of Nov. 1924, about "Sreenivasa Katte" With regard to the first of the two alternatives, I feel constrained to observe that no tinkering solution at the hands of Mr Ramunayya would in any way be acceptable to us

As to the second alternative, we are willing to accept monetary compensation, provided we arrive at an understanding as to the dimensions of the land, and as to the rate of assessment I take it that what Government propose is not a compassionate allowance, but a fair legal compensation. In the latter case the Land Acquisition Act offers certain guidances for the fixing of the award I refer to Section 23, sub-sections 1 and 2

In explaining sub-section 1, (pages 3-94), the commentator says, If no evidence has been taken by the Collector, and no reasons have been given in his decision to support his conclusions, the ipsi dixit of a Collector has very little weight, and is not prima facie evidence of the correctness of the award" The present recommendation of the Municipal President -- I hardly mean any discourtesy to Mr M. Madhava Rao, -- seems to come under this description For square yard is what the Municipality sells land at in other areas, and the Katte is in the heart of the commercial centre

In clause 3 of sub-section 1,four methods of assessment are stated. Sub-clause 2, (page67),gives one of them as "price paid for similar lands in the neighbourhood". Now the Trust Board of Mysore has acquired lands behind Srinivasa Katte" -- Kumalamma's Kutt,and a house behind it, now enclosed in Banumayya's compound-- in both which cases the arbitrator fixed the award at Rs 5.per square foot yard,plus the cost of superstructure, and in the latter case the award was confirmed by the District Judge of Mysore,then Judge Mr.Nagappa,Bar-at-law! Further,a hundred yards to the north of Srinivasa Katte --in Jagannmohan Palace Road,-- the Trust Board has paid at Rs 20 per square yard. Situated in a public square ,at a businesss centre, the Katte site could reasonably valued at Rs 10. per sq yd To this would have to be added the cost of the superstructure,and the extra percentage indicated in subsection 2 of section 23.of the Land Acquisition Act.

As to the dimensions of the place, I have to draw the attention of the Government to the fact that the present Jubili and Minto Rat Roads were built on lands belonging to the Katte,and that the Municipality had been gradually eating into the Katte till the Government swallowed it. The present plan in the file covers barely half the total site of the Katte.It is possible that the plan of Mysore prepared in Mr.Lee's time, may show the real limits I beg to suggest that the measurement for assessment may be taken from that.

Thus ,after full consideration of Government's offer ,and after consultation with experts, I find it reasonable to my trust submit that the legitimate monetary compensation would be include.

1 Site value at Rs 10 per sq yd ,dimensions to be ascertained from Lee's plan

2. Cost of superstructure , = say Rs 100) as per Mr Banumayya's estimate:

3 Extra percentage -15 -- as per sub-section 2,

Section 33. and,

4. The award should be dated from the time of the transfer to the Banumayya School.

The dimensions as in Lee's plan, and the award rates for the neighbouring sites, may be ascertained or verified by an early reference to the Municipal President I request that, since the matter has taken a long time already, and has now been reduced to a shape, Government may graciously frame orders early, after arriving at a fair settlement. I am convinced that Government have inscrutably fallen into an error in this unfortunate case, and I have been approaching them with great patience and courtesy, from a sense of loyalty and fair-play. I have now to observe that, that until the proper compensation has been paid, the transfer of the property to Mr Banumayya, could not be deemed final, and that our rights over it would remain unabated. If the compensation is not found to be appropriate, the site will ipso facto have to revert to us.

Soliciting the favour of early action in the matter,

I beg to remain

Sincerely Yours

G R Joyer

From,

G.R Joyer, M.A, F.R.E.S.,

Mysore

P S. Subsequent to writing the above, I learn that the Trust Board has sold land to Government themselves near Jumma Musjid Road at Rs 7-8-0, per square yard.

Filed by ... on ...

Exhibit H

DATED ...

To

The President,

City Municipal Council,

M Y S O R E.

Ref 13-24-42

No. a/4390

Dated Bangalore, 15/ December 1925

S i r,

With reference to correspondence ending with your Un-official Note No 1146, dated the 10th November 1925 in re disposal of "Srinivaskatte", I am directed to state that after a full - consideration of the legal aspects of the case, it seems to Government that the transfer of the property ~~free~~ to Mr Banumiah was subject to the conditions specified in the Mutchalika executed - by him to the Municipal Council, ~~was not quite correct~~, that the grant has not created in him any absolute right thereto, and as he has failed to comply with the conditions of the grant by constructing a fountain & Lefroy the Municipal Council has a right to resume the land

2 The property is one dedicated to the public and the proper course -- seems to be that the extent of land -- which formed the Srinivasakatte may -- now be dedicated to the public having a fountain in the middle with the inscription showing that it was the charity of Mr Srinivasa Josyer In case its resumption is considered inexpedi-

, the only other alternative cours

CKM. 14/12

is to acquire that property in accordance with the Land Acquisition Regulation and invest the amount in the purchase of other lands to be held under the same title and conditions of trust - and if such purchase cannot be effected forthwith to invest the amount in - Government or other approved securities until the same be applied in the purchase of such other lands

3 If the land is to be acquired the compensation required therefor has to be paid by Mr Banumaiya if he wishes to retain possession of the land, as it will not be equitable or legal to require either the Government or the Municipality to pay

4 I am therefore to request you to kindly issue a notice to Mr Banumaiya to show cause why the property - should not be resumed or acquired at his own expense

5 A report may be submitted as - to the result of the action taken in - the matter at a very early date

I have, etc ,

L & L Secy , to Government

E W M

Bangalore city.
14 - 12 - 25.

To
Rajamantradhureena,
Sir A.R.Banerji,Kt.C.S.I.,C.I.E.,
Dewan of Mysore,Bangalore.

Without Prejudice. 13-24-43

Dear Sir,

With reference to our representations to you about Sreenivasakatte,Mysore, during the year past, our contention, very briefly,is --

that Government have not the power to alienate the property,

that the Government having left it to decay so long could not claim to be left in possession of it hereafter, and

that Government should leave it to our care henceforward.

But since we find that Government have ,though without our consent,committed themselves to a disposal of the site to a third party,and since it may inconvenience them if we force them to retract,we suggest that a compensation may be paid to the undersigned as representatives of the donor,in final settlement of our claims,to be utilised for any benevolent purpose that we may think proper

We believe that the President,Mysore Municipality, has stated that he has paid at Rs 2-8-0 per sq.yd. for lands acquired since 1920 But we have heard that property adjacent to ours ,and acquired for the same school, was rated at Rs 5.

Since we desire to close the matter without further delay,we are willing that you should fix a sum after taking both the above rates into consideration. The cost of the superstructure was estimated by the Municipality at Rs 1200 or so The compensation should also include 15% as per land acquisition Act.

We are making this very reasonble and conciliatory proposal,so as to save Government and ourselves further worry in this matter,and hope you will be pleased to pass very early orders.

We remain ,with respects,

Yours Sincerely ,

G R Iyer

O.C. Court Fee on
Mc, No 5 of 27 28
Filed by Clerk on 17/7/28
Exhibit K
17/7/28

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೧೩-೨೪—೪೪

To

G.R. Joseyar, Esq , M A , F R G S.,
Mysore

Sir,

With reference to your letter dated 14th December 1925 in regard to a lumpsum grant of Rs.5000/- in final settlement - of your claims for the "Srinivaskatte" lands, I am directed to enquire whether the donor is agreeable to receive money compensation and to utilize the same for a similar charitable purpose elsewhere

I have etc.,

L & L Secretary to Govt

30

C. R JOSYER M.A
Fellow
C SOCIETY OF GREAT BRITAIN AND
Member
DES AMIS L ORIENT PAR S
Executive
COUN CI AND
President
AKA SA HA BANGALORE
dent for India
A NAL WOMEN S SUFFRAGE ALLIANCE LONDON AND TIONAL CONGRESS OF ORKING WASHINGTON U S A
y Contributer
MA OF SOUTH INDIA AND
Author
TAN SOUTH INDIAN PHILO A PROBLEM OF WEA TH ECONOMICS O CASTE SAVANTS SOCIO OGY AND TUAL REGENERATION

GENERAL & REVENUE SECRETARIAT
47
16 JAN 1926

Mysore.
BANGALORE, INDIA
12th Jan.26.

To

B.Nagappa,Esq,Bar-at-Law,
Local & Legislative Secretary to Government,
Bangalore.

M/13-24-45-6

Dear Sir,

I have the honour to acknowledge receipt of your letter no.5018 dated 11-1-26,and to state in reply that, as observed in the letter of 14th December signed both by my father and myself as representatives of the donor,we are willing to receive the suggested compensation and use it for some appropriate benevolent purpose.I have to request that final orders may be issued and the matter may be closed once for all at your earliest convenience.

I have the honour to remain
Yours Sincerely,

C R Josyer

PRESIDENT

GVS

No 1638 Eco 4. 30173

OFFICE OF THE PRESIDENT,
CITY MUNICIPAL COUNCIL, MYSORE
Dated 13th January 1926

FROM

N MADHAVA RAU, ESQUIRE, B A, B L,
President, City Municipal Council,
Mysore

4740 L

1926

The Secretary to the Government of
H H the Maharaja of Mysore,
Local and Legislative Departments,
B a n g a l o r e

SIR,

July 3 - 24 - 46

Disposal of Srinivasakatte

With reference to your letter No L 4390/M113-34-42 dated 15th ultimo on the above subject, I have the honour to state that the substance of your letter was communicated to Mr.D Banumiah and I enclose herewith copies of the following correspondence exchanged with him in this connection --

1. My letter No 1523 dated 23rd December 1925,
2 Mr Banumiah's letter dated 23rd December 1925
3 My further letter No 1550 dated 28th December 1925 and
4 Mr.Banumiah's final reply No 36 dated 4th January 1926

It will be seen from the above correspondence that Mr Banumiah merely reiterates his willingness to abide by the conditions of the Mutchalika given by him in 1911 He is silent about the payment of compensation and so far as I can gather he is not prepared to bear any such liability

In these circumstances I request that I may be kindly given instructions as to the further action to be taken in the matter

I have the honour to be,
Sir,
Your most obedient servant,

PRESIDENT

GVN

D Banumiah's Collegiate High School,
Mysore
Dated 4th January 1926

From

The President,
C Banumiah's Collegiate High School,
M y s o r e.

To

The PRESIDENT,

CITY MUNICIPAL COUNCIL? MYSORE

Sir,

Your letter No 1550 of 28-12-1925 to hand and contents noted

In your letter No 2244/El 2 of 18-5-1925 you have asked me to deposit Rs.1026/ for having a fountain, also you have given an estimation for the installation of the same with this letter. In reply I had requested you to kindly direct me by showing the situation for installing it Even now I am ever ready to install it if you kindly show me the place and get me a written order I am going to utilise this Sreenivasa Katte for the sake of my school and not for my private affair

So,I request you to kindly show me the place where to install

I have the honour to be,

Sir,

Your most obedeint servant,

Sd/ D Banamiah,

PRESIDENT

"C o p y"

President

GVN

Regd.No.1550/28 1&.25

Office of the President,
City Municipal Council, Mysore
Dated 28th December 1925

From

The President,
City Municipal Council,
M y s o r e

To

Dharmaprakasa D Ranumiah, Esq ,
Santhepet,
M y s o r e

Sir,

I have the honour to acknowledge receipt of your letter Nil dated 23rd December 1925 regarding Sreenivasakatte Your readiness to build the fountain etc., has already been reported to Government but their decision embodied in the Local and Legislative Secretary's letter No L4390/Ml.13-24-42 dated 15th December 1925 leaves only two alternative courses of action open to us viz., (1) resumption of the land for failure to carry out the conditions for over 4 years (2) acquisition of same at the expense of the school authorities

Please let me know what course you would prefer, so that the matter may be finally reported to Government

I have the honour to be,

Sir,

Your most obedient servant,

Sd/ N Madhava Rau,

President

"Copy"

President

GVN

23rd December 1925

From

D.Banumiah, Esq ,
Santhpet,
M y s o r e.

To

The President,

City Municipal Council,

M y s o r e

Dear Sir,

With reference to your letter No.1868 or even date I have the honour to say that I have written to you before stating that I am ready to construct the fountain in any place you like I shall be highly obliged, if you will kindly specify the place exactly so that I might take up work in connection with it to-morrow alone

I beg to remain,

Sir,

Your most obedient servant,

Sd/ D Banamiah

"Copy"

President

GVM

Mogd.No 1523/23.12.25

Office of the President,
City Municipal Council, Mysore
Dated 23rd December 1925

From

The President,
City Municipal Council,
Mysore

To

Dharmaprakasa D Banumiah, Esq ,
Santhepet,
Mysore

Sir,

Government having considered (vide letter No L 4390/M1 13-24-42 dated 15th December 1925 from the Secretary to Government, Local and Legislative Departments) that the Municipal Council should resume the land known as the "Srinivasakatte" granted to your School as you have failed to comply with the conditions of the grant by not constructing a foutain in the middle of it with inscription etc , I have the honour to enquire why the land should not be resumed unless you pay the full amount of compensation required for its acquisition

I have the honour to be,
Sir,
Your most obedient servant,
Sd/ N Madhava Rau,
President

"Copy"

N Madhava Rau
President

GVN

PROCEEDINGS OF THE GOVERNMENT OF
HIS HIGHNESS THE MAHARAJA OF MYSORE

Rl13 - 24 - 47

Read -

1 G O No 820-6/Pl 81-10-17 dated 3rd April 1911 sanctioning the free - grant of the property known as Srinivasakatte in the Mysore City to the - Kunchatigara A V School for purposes of a play ground subject to certain - conditions

2 Petition No L 3610, dated the 29th November 1924 from Mr G R - - Josyer, Mysore City, requesting the - restoration of the property for rea- - sons stated by him

3 Correspondence ending with -- letter dated 12th January 1926, from Mr G R Josyer stating that his father and he as representatives of the donor of the said property are willing to receive suitable compensation therefor and use it for some appropriate benevolent purpose

4 Correspondence ending with -- letter No 1638, dated the 13th January 1926, from the President, City -- Municipal Council, Mysore, on the --- subject

Order No 1509-54-6

Bangalore, 11 March 1926

On a reference from the Mysore - City Municipal Council dated the 6th

March 1911, the Government in their - - Order No 8204-6/M1 17-10-17, dated - - the 3rd April 1911 sanctioned the free grant of the property known as Srinivasakatte in the Mysore City to the - Kunchatigar A V School for the purpose of a play ground subject to the following conditions proposed by the - Managing Committee of the said Council -

(i) the site may be devoted for the charitable purpose of - serving as a play ground -- for the pupils of the Kun- - chitigar School, Mysore City proposed to be built on the adjoining ground, if the organisers of the school construct a public fountain and a cattle trough bearing a -- certain inscription and if access is provided to the - fountain directly from the main road,

(ii) the site should be enclosed by a compound wall and not be built upon and no high -- growing trees should be - - planted therein and the organisers should allow the - holding of the Viramudi Mantapapudi every year on the - site by the Vaishnava Agrahar people, and

(iii) a mutchalika to the above --

effect should be taken from the organisers of the school and filed in the Municipal - Office

2 In April 1917, the grandson of the original grantee of the "Srinivasa Katte" presented a petition to the Municipal Council claiming the land as - his own and requesting its restoration The Municipal Council having forwarded the same to Government for orders with the facts of the case, Government refused to modify the order already - - passed unless there was a violation of the conditions subject to which the -- land was granted to the school

3 The possession of the land was handed over to Mr Banumiah on certain conditions and without creating in him an absolute right, in other words, he has only become a constructive trustee of the land and no absolute right to the property is vested in him by the - permission granted by the Municipality to construct a compound wall and use - it as a play ground for school boys - He has failed to comply with the conditions of the grant in full It is therefore open to the Municipal Council to resume the land and if the Municipal Council does not wish to acquire the land, it may allow Mr Banumiah to retain possession of it if he pays therefor so that other suitable land may be purchased and the object of the donor may be suitably co

with In his letter dated 4th January 1926 addressed to the President of the Mysore City Municipal Council in the matter, Mr Banumiah has merely reiterated his willingness to abide by the conditions of the Mutchalika given by him in 1911 but he is silent about the payment of the compensation in case he desires to retain possession of the land It is seen from the trend of correspondence that he is not prepared to bear any such liability

But the donor's representatives (petitioners) have requested payment of a lump sum grant of Rs 5,000 including the cost of superstructure which was estimated by the Municipality at Rs 1,200 and the compensation of 15% as per Land Acquisition Regulation Mr Josyer has on the other hand on behalf of himself and his father as representatives of the original donor is willing to receive a suitable compensation for the land and use the same for some appropriate benevolent purpose He wants a lumpsum grant of Rs 5,000 The President of the Municipal Council has suggested payment of money compensation only at the rate of Rs 2/- per square yard, i e , about Rs 2,096 in all

~~The place has changed its aspect~~

5 The Government have considered the matter carefully and it appears to them that the restoration of the fountain -

will not be a convenient method of disposing of the case and as the place -- has changed its aspect, the parties affected deserve compensation They -- are therefore pleased to direct that - the Municipality should settle the -- question and make necessary payment out of the Mysore City Improvement Trust - Board funds In case Mr Banumiah -- refuses to pay the amount payable for the land, the portion of the land included in the compound of his school - may be excluded therefrom and the land disposed of as best as the Trust Board deems fit

I & L Secy , to Govt

To

The Pdt , City Ml Cl , Mysore
The Chairman, C I T Bd , Mysore
The D C , Mysore Dist

E W M

Endorsement from
1622 & 23

38205

R. JOSYER M.A

Fellow
MIC SOCIETY OF GREAT BRITAIN
AND
Member
FRANCAISE DES AMIS DE L'O
PARIS
Executive
YOUNG CITIZ NS COUN
President
BRAHMARAKA SABHA BANG
Correspondent for In
INTERNATIONAL WOMEN S
ALLIANCE LONDON AND
AT ONAL CONGRESS OF W
WOMEN WASHINGTON
Honorary Contributor
PÆDIA OF SOUTH INDIA
Author
SULTAN SOUTH INDIAN PHILO
PROBLEM OF WEALTH
ECONOMICS OF CASTE
LADY SAVANTS SOCIOLOGY AND
SPIRITUAL EN ATI N

GEN'L & REV. SECTT. Rs. 2 13 MAR. 1926 G. D SECTION.

BANGALORE, INDIA

13th March 26

GENERAL & REVENUE SECRETARIAT 554-2 17 MAR 1926

Dear Sir,

Mr Scott

Regarding Correspondence ending with my reply to your letter dated 11 1 1926

(rec'd)

may I request you to kindly favour me with an endorsement regarding the final orders of Government in the matter, since I am leaving for Mysore today, & may kindly be posted to Mysore at your earliest convenience thanking you in anticipation

I remain
Yours sincerely
V R Josyer

B Nagappa Esq
Ba Bar at law
Asst to Legislature
Secretary to Govt
Bangalore

Address as proposed.
And it is no more difficult to ascertain even the salient points of the evidence, than for me to get a copy of the Petition, & draw up the Memorandum

Memorandum attached WD 15/3

To

Mr. C.R. Josyer, F.R.E.S.,

Mysore.

With reference to his letter dated 13th March 1926 in the matter of his claim on the property known as Srinivasakatte in the Mysore City, Mr. Josyer is informed that orders have been issued in G.O. No. L. 5954-6 dated 11th March 1926 directing the Mysore City Municipality to settle the question and to pay him proper compensation therefor, early, subject to the ~~utilisation of the same for~~ provisions of Part E of the Land Acquisition Act ~~some appropriate benevolent purpose~~. The President, Mysore City Municipality may kindly be approached in the matter.

By Order,

L.& L. Secy. to Govt.

Copy to the President, Municipal Council, Mysore.

the Chairman, City Improvement Trust Board, Mysore.

V.N.